

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA
:
-v. : CONSENT PRELIMINARY ORDER
:
ANNY LANDRON, : SPECIFIC PROPERTY/
:
Defendant. : MONEY JUDGMENT
:
- - - - - X S1 16 Cr. 580 (PAC)

WHEREAS, on or about January 10, 2016, ANNY LANDRON (the "defendant"), was charged in a three-count Superseding Information, S1 16 Cr. 580 (PAC) (the "Information"), with conspiracy to steal government funds, in violation of Title 18, United States Code, Section 371 (Count One); theft of government funds, in violation of Title 18, United States Code, Sections 641 and 2 (Count Two); and aggravated identity theft, in violation of Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2 (Count Three);

WHEREAS, the Information included a forfeiture allegation as to Counts One and Two, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), of any and all property, real or personal, which constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One and Two of the Information;

WHEREAS, on or about January 10, 2016, the defendant pled guilty to Counts One through Three of the Information and

admitted the forfeiture allegation with respect to Counts One and Two of the Information, pursuant to a plea agreement with the Government, and wherein the defendant agreed to forfeit:

- i. a sum of money equal to \$1.4 million in United States currency, representing the amount which constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One and Two (the "Money Judgment"); and
- ii. all right, title and interest of the defendant in the following specific property:
 - a. EPS Financial Cards with the following card numbers:
 - i. 00000-00001-77974-6321,
 - ii. 00000-00001-78083-4803,
 - iii. 00000-00001-78042-9724,
 - iv. 00000-00001-77973-0767,
 - v. 00000-00001-78001-1488,
 - vi. 00000-00001-78001-0247,
 - vii. 00000-00001-77952-6809,
 - viii. 00000-00001-77983-7563,
 - ix. 00000-00001-78017-3849,
 - x. 00000-00001-78011-9283,
 - xi. 00000-00001-78075-7763,
 - xii. 00000-00001-77982-1169,
 - xiii. 00000-00001-78056-3721,
 - xiv. 00000-00001-78011-5009,
 - xv. 00000-00001-77949-3489,
 - xvi. 00000-00001-78051-5247,
 - xvii. 00000-00001-78001-4047,
 - xviii. 00000-00001-77978-8527,
 - xix. 00000-00001-77965-7007,
 - xx. 00000-00001-78043-7886, and
 - xxi. 00000-00001-77976-3688;
 - b. Green Dot Cards with the following card numbers:
 - i. 5792163735969,
 - ii. 5792525106412,
 - iii. 5792163645333,
 - iv. 5792162842196,
 - v. 5792163703520,

vi. 5792163776591,
vii. 5791294863633,
viii. 5791294936702,
ix. 5791294958508,
x. 5792163676643,
xi. 5791294806863,
xii. 5792525402381,
xiii. 5791294913255,
xiv. 5791294928121,
xv. 5792525098973,
xvi. 5792163787556,
xvii. 5792162879842,
xviii. 5792162814195,
xix. 5792163761098,
xx. 5792163621524,
xxi. 5792163755959, and
xxii. 5792163681031;

(collectively the "Specific Property");

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$1.4 million in United States currency, representing the amount which constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One and Two and to the forfeiture of all the defendant's right, title, and interest in the Specific Property;

IT IS HEREBY STIPULATED AND AGREED, by and between United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Andrew K. Chan, of counsel, and the defendant, and his counsel, Paul Wiegartner, Esq. that:

1. As a result of the offenses charged in Counts One and Two of the Information, to which the defendant pled guilty, a money judgment in the amount of \$1.4 million in United States currency (the "Money Judgment") shall be entered against the defendant.

2. As a result of the offenses charged in Counts One and Two of the Information, all of the defendant's right, title and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853. To the extent that the Specific Property has any value that is forfeited to the United States such proceeds will be credited towards the Money Judgment.

3. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment, this Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment is final as to the defendant, ANNY

LANDRON, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

4. Upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment, the United States Department of Treasury is authorized to seize the Specific Property and hold the Specific Property in its secure, custody and control.

5. Pursuant to 21 U.S.C. § 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States shall publish for at least thirty (30) consecutive days on the official government internet forfeiture site, www.forfeiture.gov, notice of this Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment. Any person, other than the defendant in this case, claiming an interest in the Specific Property must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

6. Pursuant to Rule 32.2(b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. The notice referenced in paragraph 6 above shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title and interest in the Specific Property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to 21 U.S.C. § 853(n) and Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure, in which all third-party interests will be addressed.

9. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the "United States Department of Treasury", and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money

Laundrying and Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

10. Upon execution of this Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment, and pursuant to 21 U.S.C. § 853, the United States Department of Treasury shall be authorized to deposit the payments on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

11. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

12. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

13. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture

as to Specific Property/Money Judgment to Assistant United States Attorney Sarah Eddy, Chief of the Money Laundering and Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

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14. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

PREET BHARARA
United States Attorney for the
Southern District of New York

By: Andrew K. Chan
ANDREW K. CHAN
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-1072

1/10/17
DATE

ANNY LANDRON
Defendant

By: Anny Landron
ANNY LANDRON

01/10/2017
DATE

By: Paul Wiegartner, Esq.
PAUL WIEGARTNER, ESQ.
Attorney for Defendant
The Blanch Law Firm
261 Madison Avenue, 12th Floor
New York, NY 10016

1/6/17
DATE

SO ORDERED:

Paul A. Crotty
HONORABLE PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE

12/19/2016
DATE